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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,903	09/05/2003	James D. Caldwell JR.	71886CON1	7687
27975	7590	06/30/2004	EXAMINER	
ALLEN, DYER, DOPPELT, MILBRATH & GILCHRIST P.A. 1401 CITRUS CENTER 255 SOUTH ORANGE AVENUE P.O. BOX 3791 ORLANDO, FL 32802-3791			HECKENBERG JR, DONALD H	
			ART UNIT	PAPER NUMBER
			1722	

DATE MAILED: 06/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/655,903

Applicant(s)

CALDWELL, JAMES D.

Examiner

Donald Heckenberg

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 10-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 10-14 is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on September 5, 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

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1. The first line of the specification needs to be updated to reflect that the parent application (U.S. Pat. App. No. 09/828,293) has been abandoned.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

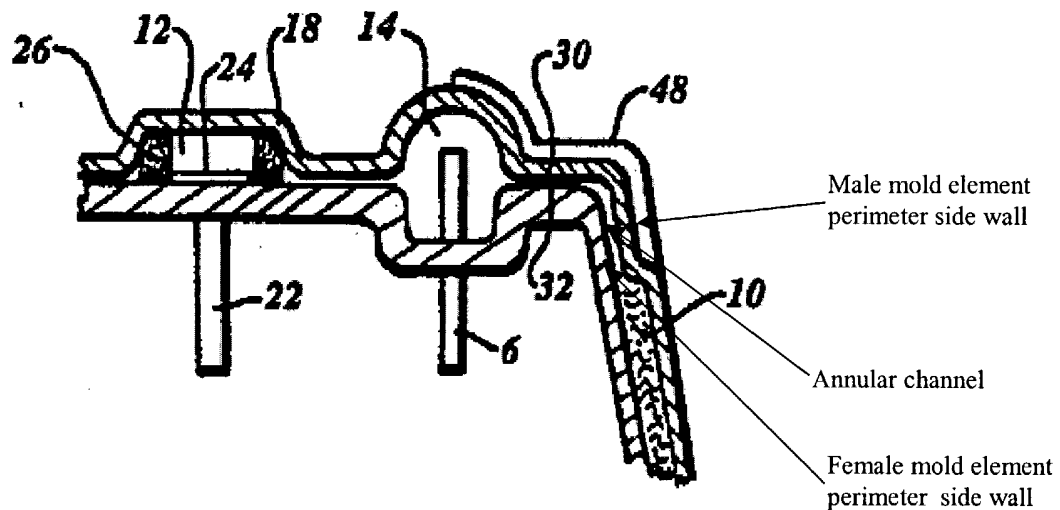
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-4 are rejected under 35 U.S.C. 102(b) as being anticipated by Wejrock et al. (U.S. Pat. No. 5,256,366; previously of record).

Wejrock discloses an apparatus for resin transfer molding. Wejrock provides an outer female mold element (4) having an interior surface, and a male mold element (2) having an exterior surface (see fig. 1). The interior surface of the female mold element and the exterior surface of the male mold element are as such to define a mold cavity (10) when the male mold element is placed inside the female mold element (fig. 4). As shown in the marked up copy of Wejrock's fig. 4 below, the inner male mold element has a perimeter sidewall that extends a vertical distance alongside, but spaced apart from, a mutually facing

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interior sidewall of the outer female mold element, so as to form a generally continuous narrow annular channel between the outer perimeter edges of the mold elements.

**FIG 4**

The annular channel is as such to be contiguous with the mold cavity, and allow venting of air and expansion therethrough of resin that has been introduced into the mold cavity (cl. 5, ll. 15-58).

Wejrock also provides the apparatus with a plurality of indexing tabs (50) affixed to the inner male mold element configured to engage the female mold element so as to accurately

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dimensionally locate the inner male mold element with the interior volume of the outer female mold element (cl. 5, ll. 15-19). Wejrock further provides the apparatus with an auxiliary closure (6) engaging the mold assembly and coupled to a vacuum to augment the flow of resin and removal of air pockets from the mold cavity through the channel (cl. 3, ll. 36-49).

4. Claims 10-14 are allowed.

5. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record fails to teach or suggest a method of manufacturing an article as defined in claims 10 and 14. The closest prior art disclosed by Wejrock is described above.

Wejrock discloses that the internal flanges (30) present on the male mold come into contact with the sealing planes (32) of the female mold as vacuum is applied, thereby sealing the perimeter of the assembly (cl. 3, ll. 15-21). Wejrock therefore fails to teach or suggest an unsealed annular mold cavity between the interior surface of the outer female mold element and the exterior surface of the male mold element as recited in claims

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10 and 14. Moreover, Wejrock does not teach or suggest the inner mold not to be sealed against the outer female mold element as recited in claims 10 and 14.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Donald Heckenberg whose telephone number is (571) 272-1131. The examiner can normally be reached on Monday through Friday from 9:30 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker, can be reached at (571) 272-1151. The official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <<<http://pair-direct.uspto.gov>>>. Should you have questions


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on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at (866) 217-9197 (toll-free).


Donald Heckenberg
June 24, 2004


JAMES P. MACKEY
PRIMARY EXAMINER
6/25/04